

Original communication

## Children and adolescents victimized by sexual abuse in the city of Rio de Janeiro: An appraisal of cases

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Received 11 November 2005; received in revised form 30 May 2006; accepted 19 July 2006

Available online 5 October 2006

### Abstract

Physical and/or sexual abuse, negligence, and psychological abuse against children and adolescents, constitute a socially important syndrome, demanding preventive public policies and rules for its eradication. Sexual abuse, as a troublesome occurrence, or even its mere presumption, does not regularly undergo official notification. We have examined legal investigative registers at the Instituto Médico-Legal do Rio de Janeiro – Sede set up from January to March 2000, including women, children and adolescents, with medico-legal histories suggestive of sexual assault. From a sample of 1419 cases, we selected those involving vaginal coitus or other libidinous practices, with an upper age limit of 17 years, reducing our sample to 44 subjects. 84.09% of the assaults occurred between ages 0 and 14 years. In 62.36% of the studied cases there was no mention about perpetrators. Material for laboratory researches had not been collected in 84.09% of the cases. There is any lesions in 70.45% of the sample.

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**Keywords:** Psychiatry; Battered children; Sexual abuse; Forensic expertise

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## 1. Introduction

Maltreatment against children and adolescents has been a subject of interest for researchers in many countries for the last 50 years.

Studies on this theme are very difficult due to cultural and legal differences that have hindered the creation of standard procedures for the prevention and confrontation of the problem. There are several forms of maltreatment against childhood, such as physical abuse, sexual abuse, negligence and psychological abuse.

It has been known that childhood punishment influences adult behavior.<sup>1</sup> Maltreatment has been linked with risk factors for behavior and mental health disturbances, as well as cognitive troubles. Some studies consider childhood trauma to be responsible for about half the psychopathological manifestations in adult life.<sup>2</sup>

In Brazil, scientific papers about children maltreatment are so far scanty. For the last ten years scientific publications in Pediatrics journals have been rare<sup>3</sup> despite the interest of other knowledge areas in the subject, which is a real public health problem.

Violence against children and adolescents is focused by public security, as well as belonging in Health and Social Sciences and cannot be restricted to the relation “social safety vs. police case”.<sup>4</sup>

Victimized children and adolescents cannot be distinguished by their socio-economic or cultural background.

Physical and sexual are usually the most easily detectable forms of abuse by means of the forensic examination. Of the latter we must recall some variations like “voyeurism”, genital manipulation and minors’ corruption, all quite difficult to be verified, as they do not present with medico-legal evidence.

Negligence (familial or institutional), the commonest form of maltreatment<sup>5</sup>, may easily be overlooked. Psychological abuse will rarely be taken to the forensic expert or to the clinician, and will at the most be recognized by the psychiatrist or psychoanalyst.

Negligence and emotional abuse (psychological abuse) have been recognized as predictors of children and adolescent development, and potentially more harmful than physical abuse, according to Claussen & Crittenden’s study (1991)<sup>6</sup>, and can be present independently of other forms of abuse. Whereas the children’s needs negligence and the physical maltreatment have often been attended by emotional neglect, the inverse situation does not always happen.<sup>7</sup>

The occurrence of sexual abuse in the family (minor/family relationship) is frequently underestimated. According to Ajuriaguerra<sup>8</sup>, in his *Manual de Psiquiatria Infantil*, an aura of family respectability disguises the assaults against children, which makes it difficult to accept and often puts the child’s complaint under suspicion.<sup>9,10</sup>

Familiar desegregation is another problem to be met by such children. The revelation of abuse may result in the parents’ divorce, when the presumed offender is the father

or stepfather. Beloved grandparents, uncles, cousins and other relatives, can also be put at a distance. The echo of these occurrences in the victims’ future life will depend on several factors besides the family – school, the community and the reception by police authorities are among those.<sup>11</sup> Suffering quite stronger than the attack may be caused by the forensic experts’, law representatives’, physicians’ and social assistants’ inability to deal with the question of sexuality, notwithstanding their prospective knowledge or activity levels.<sup>12</sup>

Medico-legal practice has categorized the distinct forms of violence against children, and forensic examination is the first step in this routine that begins with the denunciation of the fact at the police station. Material evidence possibly originated from the assault are verified through forensic examination. In the investigation of cases suspected of sexual abuse, a high percentage of absent physical evidence in the forensic examination becomes a great problem: such indices range from 16% to 90%, and 70% to 90%.<sup>13</sup> Nonetheless, it does not cancel out the possibility of abuse occurrence.<sup>14</sup>

More often notifications related to physical and sexual abuse have been linked to the lower socio-economic classes, perhaps because amid them some bias are not relevant, such as shame, fear of social repercussion, unacceptability of the problem’s reality, that prevents the “more enlightened” amidst them from looking for help, or getting into a police station to present a formal complaint.<sup>15,12</sup>

In the present study legal investigative registers had been examined in order to evaluate the incidence of sexual abuse allegations at the Instituto Médico-Legal in the city of Rio de Janeiro. The analysis was set up from January to March 2000, and included individuals up to an age limit of 17 years.

## 2. Methodology

Data survey was performed through the revision and analysis of forensic reports of women, children and adolescents led to the Instituto Médico-Legal in the city of Rio de Janeiro from the various police stations from January to March 2000. Such documents were safeguarded at the institution’s main archive, and the research was granted the Civilian Police authorities’ authorization.

Forty-four (44) cases with presumption of sexual attack were selected after a review of 1419 forensic experts’ reports; age range had been attributed between 0 and 17 years for either sexes, due to minority legal limits.

The study was focused upon forensic examinations involving either vaginal coitus or other libidinous practices without vaginal penetration.

Victim identification was not effected in order to preserve their legal rights and to avoid interfering in police investigation, while scrupulously keeping legal secrecy.

The forensic examination is the instrument employed by forensic experts to search for material evidence arising from an unlawful act.

The alleged victims' case histories, sometimes related by relatives or legal representatives, the forensic expert's report and the results of laboratory analyses, are the data acknowledged for the research.

The sample was divided into age groups: 0–4 years; 5–9 years; 10–14 years; and 15–17 years.

In the analysis of case histories the adopted criteria were: assault committed by people within the victim's relations (father/stepfather, relatives); by people outside the victim's relations; and cases without any information about the offender. This work included forensic reports containing allegations of attempts, suspicions or suppositions of sexual attack or defamation, as well as examinations to verify hymenal integrity, absent pregnancy and absence of spermatozoa in the vagina. When vaginal coitus and other libidinous practice without vaginal penetration occurred in the same case, the first alleged occurrence was considered for inclusion in a group.

The Instituto Médico-Legal in the city of Rio de Janeiro, at the time of this work had only managed to perform spermatozoa research, and laboratory results were classified as follows: Positive; Negative; Not collected.

The answers to the different standard forensic questions were classified as follows:

- (a) vaginal coitus: Positive (Not virgin); Negative (Virgin);
- (b) other libidinous practices without vaginal penetration: Positive; Negative.

### 3. Results

The research obtained 23 vaginal coitus forensic examinations, 14 characterized as other libidinous practices without vaginal penetration, and 7 with both forms of sexual practice.

The distribution of forensic examination classes as for the age group was:

- (a) 0–4 years: 05 examinations with other libidinous practices without vaginal penetration, 02 with vaginal coitus and 01 with both practices;
- (b) 5–9 years: 6 with other libidinous practices without vaginal penetration, 4 with vaginal coitus and 2 with both practices;
- (c) 10–14 years: 3 with other libidinous practices without vaginal penetration, 12 with vaginal coitus and 2 with both practices;
- (d) 15–17 years: 0 (none) with other libidinous practices without vaginal penetration, 5 with vaginal coitus and 2 with both practices.

Only the class of other libidinous practices without vaginal penetration underwent gender analysis. Males were predominant in age groups from 5 to 9 and from 10 to 14 years. Females were more numerous in the group of children from 0 to 4 years: 3 girls and 2 boys. In the age

#### EXAMINATIONS IN THE GROUP BETWEEN 0 AND 14 YEARS OLD

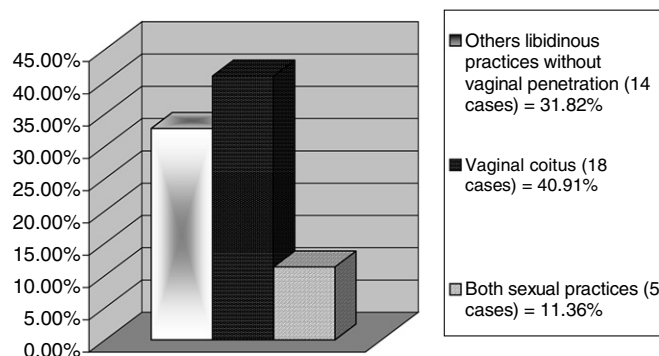


Fig. 1. Forensic examinations in the age group between 0 and 14 years, according to the sexual attack forms.

group of 15–17 years there wasn't any examination classified as other libidinous practice.

The occurrences were more frequent in the age group between 0 and 14 years old: 14 cases with other libidinous practices without vaginal penetration – 31.82%, 18 with vaginal coitus – 40.91% and 5 with both practices – 11.36% (Fig. 1). The age group set up from 15 to 17 years represented 15.91% of the sample.

Concerning the alleged aggressors, results were displayed as follows: (a) people with a relationship to the victim – 36.37%; (b) people without a relationship to the victim – 2.27%; (c) no offender information – 61.36% (Fig. 2).

In most of cases, 37 examinations (84.09% of the sample), nothing was recorded about collected material for spermatozoa research. They were positive in 3 cases – 6.82% and negative at 4 – 9.09% (Fig. 3).

Forensic examinations were considered negative for vaginal coitus and others libidinous practices without vaginal penetration in 31 cases (70.45%). This means that physical lesions that could effectively prove the occurrence of sexual practices were not identified.

#### ALLEGED OFFENDERS

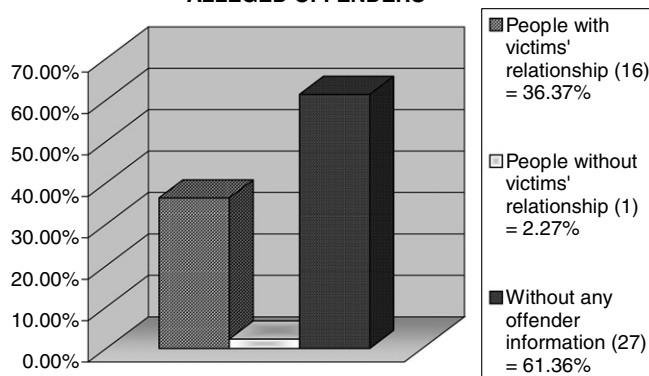


Fig. 2. Issues about the victims-offender relationship.

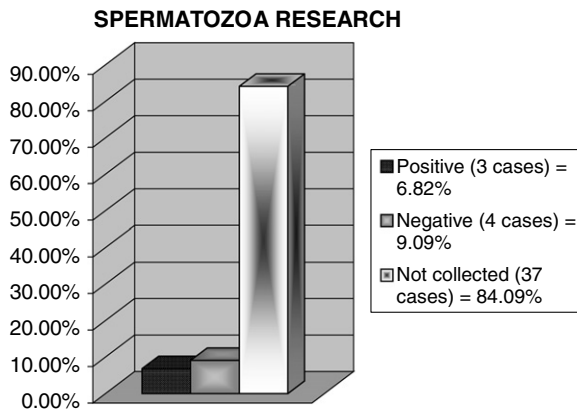


Fig. 3. Laboratory test results.

#### 4. Discussion

Attacks were predominant within the age group of 0–14 years (37 cases), representing 84.09% of the sample (Fig. 1). This find confirms the notion that maltreatment, specially physical and sexual abuses, is more frequent when the victims' capacity for self-defense is lesser. Biehler (2002)<sup>12</sup> has cited sexual abuse cases between the ages of 5–12 years. For Carter-Lourenz e Johnson-Powell (1999)<sup>16</sup>, the incidence of assaults is inversely proportional to the victim's age. About 10% of the investigative procedures registered as rape at the Delegacia Legal Program units in the city of Rio de Janeiro during 2003, were related to victims in the age group between 0 and 12 years.<sup>17</sup>

Still in the age group from 0 to 14 years, there was a higher incidence of sexual assaults to males (10) – 22.73% of the sample. No such cases were found in the age group from 15 to 17 years. In spite of the sample size, male rates were higher than described in the scientific literature<sup>18</sup> Considering that from the 44 selected cases, only 10 were males, and still then only in the age group of 0–14 years, it could be inferred that for victims in a higher age span there might be some difficulty to place complaints of sexual abuse, due to the resulting embarrassment and the familiar and social repercussion.

The predominance of females in the forensic registers of sexual abuse at the Instituto Médico-Legal in the city of Rio de Janeiro can only confirm what has already been described in the subject's scientific literature.<sup>19,18</sup>

The cases without any offender information were more frequent – 62.36%; the alleged histories of people with reached 36.37%; the cases with reference to people without a relationship to the victim were represented by just one register – 2.27% of the sample (Fig. 2). The findings of this study are in discordance with conclusions from the literature, where it is demonstrated that most sexual abuse is perpetrated by persons with some relationship to the victims.<sup>20,15,17</sup>

The low number of forensic reports of vaginal coitus and other libidinous practices without vaginal penetration involving children and adolescents set up from 0 to 17

years old, approached by the present study, makes it clear that this kind of abuse does not often undergo official notification, if one considers that 1419 reports were revised, and only 44 could be regularly included in the search – 3.10% of the initial tally. Santos, 1998<sup>10</sup>, estimates an occurrence rate of 10% of sexual abuse among maltreatment cases against children and adolescents.

Dealing with this problem is troublesome for the families, and may end up in familiar disruption and/or bad social repercussion, and even the distrust of the child's testimony<sup>21,11</sup>, with mothers' and victims' fear of retaliation (when the offender is the father or stepfather, due to affective or economic dependence); those events could perhaps explain the small number of sexual abuse notifications<sup>22</sup>, mostly in our mean, with a small number of specialized services for the victims' care and a great part of the people at the mercy of police stations, hospitals or court divisions, at a loss of trained professionals.<sup>12</sup>

Even though forensic work is not oriented as a physician-patient relationship, history taking belongs with forensic expertise, and through it the forensic expert obtains the necessary data that, with the direct examination and description of lesions, leads to the establishment of a cause and effect nexus, the ultimate aim of forensic activity. Therefore, if in most revised procedures there was no mention of the offender, the anamnesis may not have been well made, due to the forensic expert's lack of perception or attention, or both. This results in a low-quality forensic document, little helpful and weak to provide the fundamental nexus link of facts about sexual abuse occurrence, thus contributing for many perpetrators getting away with it.

Another point to be noted is the high incidence of forensic reports concluded without laboratory aid, which in the Instituto Médico-Legal of the city of Rio de Janeiro are limited to spermatozoa research. Such laboratory reports were found in only 7 cases: 3 positive (6.82%) and 4 negative (9.09%). Thus, it may be concluded that the complaint registrations at the police station were performed at a later date after the abuse, as spermatozoa research must be fulfilled up to 72 h after the occurrence.

The delay in child abuse reporting has been related in inverse proportion to the victim's and offender's grade of personal relationship – if they are closer, more time will be spent until the formal complaint.<sup>23,15</sup> Other laboratory researches, like sexually transmitted diseases and HIV contagion may suggest sexual abuse, and must be included in the investigation.<sup>15,22</sup> DNA extraction in positive spermatozoa research cases, plus an eventual analysis if there's a suspect to be investigated, is nowadays mandatory.

The great number of examinations without physical lesions that could be linked to the victims' or their relatives' or legal representatives' allegations (70.45%) found in the present study does not permit the exclusion of abuse perpetration<sup>24,13</sup>, what can only be proved by the development of the police inquiry with its consequences, a task that has been proving itself quite hard.<sup>25</sup>



## 5. Conclusion

Notwithstanding the sample's size and the analytic time span, our research has displayed some points in common with the reviewed scientific literature. Some aspects, such as the outstanding percentage of male children victimized by sexual assault, deserve a more detailed analysis, in an attempt to ascribe such results to specific generating causes, or to the characteristic randomness of case occurrences.

We should provide sexual abuse victims with special case handling techniques, which may be extended to other forms of maltreatment against adolescents and children.

Long term studies on the consequences of maltreatment are needed in order to outline the problem's true extent in our midst, as well as its influence upon the young, such as potential damage to both physical and mental health, low academic development, learning deficits, low self-esteem and a reduced ability for social mingling, which may give rise to transgressive, aggressive or even criminal demeanors.

Moreover, there's a strong need for victim care protocols, with the cooperation of police, medical and medical-legal staff, and simultaneous development of lab techniques to be employed for the investigation of suspect cases.

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